ANNUAL REPORT

FOR THE

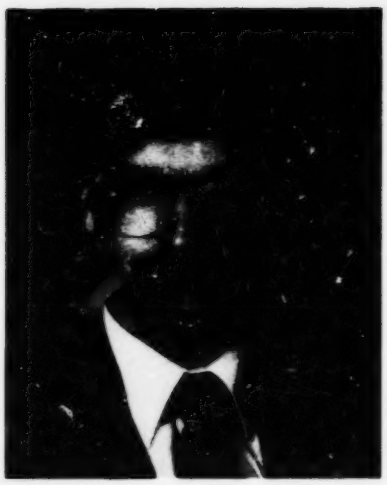
DEPARTMENT

OF

JUSTICE

1982 - 1983

GOVERNMENT OF YUKON



March 31. 1984

Douglas L.D. Bell
Commissoner of Yukon
Whitehorse, Yukon

May It Please Your Honour:

I have the pleasure to transmit to your Honour the Annual Report of the Yukon Department of Justice for the year ending March 31, 1983.

Respectfully submitted,

The Honourable Clarke L. Ashley
Minister of Justice

Honourable C.L. Ashley
Minister of Justice

Sir:

I have the honour to submit the Annual Report of the Department of Justice for the year ended March 31, 1982.

I have the honour to be, Sir,
your obedient servant,

T.F. Duncan
Acting Deputy Minister of Justice

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OFFICE OF THE DEPUTY MINISTER

In October, 1982, the Deputy Minister, Mr. O'Donoghue, was stricken with a heart attack and was still absent at year end. Mr. Duncan, Judicial Administrator, assumed the role of Acting Deputy Minister in addition to his other duties.

The development of Human Rights legislation was vested in the Women's Bureau and with the allocation of that responsibility, the Women's Bureau was transferred from the Department of Education to Justice. This was the only organizational change during the year and occurred in the late summer. There were no changes in senior personnel, but the absence of Mr. O'Donoghue left the Department sorely pressed to deliver legal advice and services to other government agencies and the private bar had to be used fairly extensively to remedy these shortcomings.

Financial restraints imposed by the Government in the latter half of the year by way of "nine-day fortnight" could only be partially implemented in the Department. Pre-set trial dates made it only partially operable in the Courts and the necessity to maintain incarceration facilities 24 hours/day for 365 days a year made it totally inoperable in this area.

Negotiations on the R.C.M.P. contract were concluded successfully and the Agreement was signed in Ottawa by the Minister, the Honourable Clarke L. Ashley on January 25, 1983. A further bone of contention between the Solicitor General and Provincial Ministers surfaced in the form of the Young Offenders Act. Again, the contentious area is financing and specifically what the federal contributions should be. The Young Offenders Act has implications for both the Justice Department and the Department of Health and Human Resources. The Solicitor General's proposal to proclaim the Act effective April 1, 1982, met with uniform resistance and the proclamation date has now

DEPUTY MINISTER (continued)

been deferred until satisfactory cost-sharing arrangements are in place. Meetings have been set for May, 1983, to allow federal and provincial officials sufficient time to gather material relevant to cost-sharing negotiations.

In January, 1983, the Acting Deputy Minister and senior officials appeared before the Public Accounts Committee during its examination of departmental operations to answer any queries thereto.

LEGAL SERVICES

The Legal Services Branch of the Department of Justice is comprised of the Solicitor's Branch, Legislative Counsels Office, Office of the Public Administrator and Chief Coroner, and the Land Titles Office.

Solicitor's Branch

This Branch was in an understaffed position for the entire fiscal year, with both Solicitor positions vacant October, 1982 to March, 1983, and only one Solicitor in place April to September, 1982. This situation necessitated raising service contracts with the private bar to provide legal advice and representation for all branches of government departments.

Legislative Counsels Office

The Legislative Counsels Office is responsible for the revision and consolidation of acts and regulations, advises and assists other government departments with requests respecting legislation and acts as a registry of regulations where Orders-in-Council and Regulations are retained on file after coming into force. During 1982/83, there were three hundred and fifty-seven (357) Orders-in-Council processed. Forty-five (45) Acts were enacted during the year. Twenty-one (21) were new and twenty-four (24) were amendments to existing Acts.

Public Administrator

The Public Administrator acts as the Administrator of the estates of deceased persons who die testate or intestate in the Yukon, or who die outside the Yukon, leaving assets in the Territory. In addition, responsibility includes guardianship for the estates of minor children and missing persons, as well as trustee of the estates of persons who are incapable of handling their own affairs by reason of mental disability.

PUBLIC ADMINISTRATOR (continued)

During the 1982 calendar year, there were fifty-nine (59) files opened for deceased persons, four (4) files opened for missing persons and two (2) files opened for minor children. The number of current files at the conclusion of the 1982 calendar year totalled two hundred and fifty-five (255).

Chief Coroner

The Chief Coroner is responsible for administering the Coroner's Act, which provides for the investigation of sudden, unexpected or unexplained deaths in the Territory, and supervising and directing the 27 appointed Coroners throughout the Territory.

Deaths reported in the 1982 calendar year in Yukon totalled one hundred and eighteen (118). Of this number, eighty-one (81) were Coroner's cases, seventy-four (74) of which were enquiries and seven (7) inquests were held. This was down from the historical average of 136 and much lower than the 150 recorded in 1981.

Cause of Death	Territory Total
Natural	60
- Cancer	15
- Stillbirths	5
- Premature	3
- SIDS	2
Suicides	3
Homicides	
- stabbing	1
- shooting	1
Accidental	
- Motor Vehicles	7
- Industrial	2
- Aircraft Crash	1
- Hypothermia	5
- Fall	3
- Carbon Monoxide Poisoning	3
- Asphyxiation	7
DEATHS IN YUKON - TOTAL	118

LAND TITLES OFFICE

Land Titles Office

There is only one Land Titles Office in the Territory, and it is situated in the City of Whitehorse. The responsibility of the Office is to examine all documents submitted for registration which affect land and either accept or reject them, if they are not in registerable form.

In addition to document registration, the Office is required to provide title, document and survey plan searches to the public. It is also responsible for the security of the original titles and documents filed in the building. The function of all staff is to ensure that the examination and registration of documents, the issuance of titles, the provision of searches and statements and the maintenance of security of land titles records is performed with speed, accuracy and courtesy.

During the period of April 1, 1982 to March 31, 1983, the Land Titles Office processed three thousand six hunded and thirty-six (3,636) document registrations, involving one thousand one hundred and twenty-seven (1,127) Certificates of Title being issued and ninety-six (96) plans of survey being filed and registered. There were one thousand four hundred and twenty-nine (1,429) Certificates of Search, five hundred and twenty-two (522) General Register Certificates and six hundred and fifteen (615) Certificates of Changes, and fifty-four (54) condominium titles.

Women's Bureau/Human Rights

The Women's Bureau was transferred from the Department of Education to the Department of Justice on June 28th, 1982.

The mandate of the Bureau at that time was:

WOMEN'S BUREAU/HUMAN RIGHTS (continued)

- assessing territorial and provincial legislation, policy and programs, in order to compare the status of women in Yukon with other jurisdictional areas in Canada, and to recommend revisions or implementation of new policy in Yukon, if necessary;
- acting as the focal point and liaison body for internal government departments, local women's groups, provincial, federal and territorial departments;
- developing and assessing social and economic indicators relevant to the analysis of the status of women in Yukon;
- coordinating input into the development of a Yukon Plan of Action for Women, to be incorporated in the National Plan of Action;
- developing a resource centre and information dispersal program regarding the status of women in Yukon;
- working actively with government departments, local employers and unions, to encourage them to provide training and equal opportunities of employment to female employees.

On transfer this section received the additional responsibility for human right matters and specifically with the development of Human Rights Legislation.

The Bureau produced Public Legal Information pamphlets on the following subjects:

- Matrimonial Property and Family Support Act
- Marriage Contracts
- Common-Law Relationships
- Changing Your Name
- Separation
- Peace Bonds
- Illegitimate Children

WOMEN'S BUREAU/HUMAN RIGHTS (continued)

The Bureau sponsored public viewings of the film "The Workplace Hustle", and distributed information on how to lay a complaint of sexual harassment in the workplace in Yukon. The Bureau obtained and distributed a standardized Sexual Assault kit and accompanying video and pamphlets for use to various professional groups throughout Yukon.

The Women's Bureau assumed responsibility for policy development in the area of human rights, and represents the Government of Yukon on the following national committees and organizations:

- Canadian Association of Statutory Human Rights Agencies (CASHRA);
- The Continuing Committee of Officials Responsible for Human Rights;
- The Women's Employment Sub-Committee of the Canadian Association of Administrators of Labour Legislation (CAALL);
- The Federal/Provincial/Territorial Working Group of Officials on the Status of Women.

TERRITORIAL POLICING

Police Services are provided to the Territory by the R.C.M.P. under a contract with the Federal Government. The series of Agreements, which started in 1970, ended in March, 1981. The new agreement was signed in 1982 and will be in force for ten years. Yukon's share will increase over the life of the agreement from 57% to 70%.

Current strength of personnel is 88 members, 7 civilians and 9 public servants. another contract with the Department of Northern Affairs provides 9 officers under the Special Native Constable Program.

In addition, 27 officers are employed directly by Canada on Federal concerns such as immigration, customs, drug prevention, etc. The cost of these personnel is fully paid for by Canada. A breakdown of the distribution of manpower follows. This chart is effective and up-to-date as of March 31, 1983.

Overview of Criminal Operations

Crime Reporting

During 1982, the R.C.M.P. underwent a change in the reporting system relative to crime. The change involved a switch from the Uniform Crime Reporting System (U.C.R.) to the Operational Statistics Reporting System (O.S.R.). The purpose of the change was to provide for more accurate reporting of crime and to capture all activities performed by all detachments and units in the Division. The O.S.R. system also serves as a valuable tool in measuring the performance of our detachments and units.

It will be noted in the statistical presentation that there was only a moderate increase in the incidence of crime when comparing 1982 to 1981 data. Crimes against persons increased by 2%, while crimes against

TERRITORIAL POLICING (continued)

property increased 5%. The figures for Other Criminal Code show a 13% increase, which results in the total number of criminal code offences reflecting an overall 7% increase. These rates appear to be somewhat lower than other jurisdictions across Canada for 1982, and may be attributed, in part, to the unfavourable economic climate experienced throughout Yukon in 1982.

Support Services

Within the Territorial Policing activity, there are a number of specialized sections which augment the detachment function and provide specialized assistance in dealing with the more difficult cases. Such sections are:

(a) General Investigation Section

This Section, with a complement of 5 regular members and 2 Public Service employees, is located at Whitehorse. During 1982, the Section expended a total of 7,796 hours, the majority of which were spent on investigation of homicides, thefts over $200., frauds and other criminal code offences throughout Yukon. The operational objective of this Section is: To prevent, detect and solve crimes of a serious or sophisticated nature.

(b) Identification Section

Also operating on a Territory wide basis, this Section is located at Whitehorse and has an establishment of 2 regular members. During the year 1982, this section conducted 231 scene examinations, finding 305 identifiable fingerprints and 141 pieces of physical evidence. Fifty-seven fingerprints were identified, as were 25 incriminating pieces of physical evidence. Of the 3374 hours expended by this Section, fully one-third or 1129 hours, were related to Break and Enter offences. The operational

TERRITORIAL POLICING (continued)

objective of this Section is twofold, namely: To search for, develop and preserve physical evidence and identify or eliminate persons as well as objects in criminal investigations as efficiently as possible, and, to provide on a Divisional basis instruction and technical support in photography, plan drawing, and all identification related matters as required.

(c) Police Dog Services

The "M" Division Police Dog Service is located at Whitehorse, and has the operational objective: To provide an operational support service in order to detect evidence, locate persons and objects and prevent crime. In 1982, the dogmaster devoted 1,764 hours to this function, of which 350 hours or 20% of his time, was expended to on-the-scene criminal investigations.

(d) Air Services

During 1982, the Division aircraft (CF-MPL), a Twin Otter, flew approximately 89,290 air miles with 364,700 passenger miles during 525 hours of flying time. The aircraft continues to display its worth in areas of operational support.

TERRITORIAL POLICING (continued)

Statistics

Territorial Policing	OFF	S/SGT	SGT	CPL	CST	S/CST	C/M	P/S	TOTAL
Division C.I.B.	1							1	2
C.I.B. Readers			1	1					2
P.C.R. Native Police			1						1
Telecomms			1				1		2
Com Centre							6		6
G.I.S.		1	1	1	2			2	7
Commercial Crime					1				1
P.S.O.				1					1
Identification			1	1					2
Air Detachment						3			3
Section N.C.O.		1							1
Beaver Creek				1	1				2
Carmacks				1	2				3
Carcross				1					1
Dawson			1		4			1	6
Faro				1	2				3
Haines Junction				1	3				4
Mayo				1	2				3
Old Crow				1	1				2
Ross River				1	1				2
Teslin				1	1				2
Watson Lake			1	1	5			1	8
Whitehorse		1	2	4	20	4		4	35
Highway Patrol				1	4				5
Sub-Total	1	3	9	19	49	7	7	9	104
Indian Special Constables									
Beaver Creek									0
Carcross						1			1
Mayo						1			1
Ross River						1			1
Teslin						1			1
Watson Lake						1			1
Whitehorse						4			4
Sub-Total						9			9
Division Admin & Federal Policing	2	2	4	8	3	0	0	8	27
TOTAL	3	5	13	27	52	16	7	17	140

TERRITORIAL POLICING (continued)

Statistics

Criminal Code Offences

(Actual offences - maintained by Calendar Year)

Note: Comparative Statistics 1982 / 1981

Jurisdiction	Persons* Offences	Property** Offences	Other*** Offences	Total
Beaver Creek	2 / 5	9 / 17	22 / 12	33 / 34
Carcross	15 / 13	56 / 44	35 / 27	106 / 84
Carmacks	35 / 35	45 / 66	45 / 35	125 / 136
Dawson City	35 / 30	199 / 187	113 / 109	347 / 326
Faro	12 / 21	59 / 103	33 / 66	104 / 190
Haines Junction	17 / 15	85 / 59	56 / 48	158 / 122
Mayo	28 / 40	100 / 115	49 / 74	177 / 229
Old Crow	26 / 31	28 / 17	67 / 28	121 / 76
Ross River	20 / 32	39 / 47	24 / 28	83 / 107
Teslin	27 / 15	66 / 58	65 / 53	158 / 126
Watson Lake	81 / 74	240 / 221	259 / 183	580 / 478

TERRITORIAL POLICING (continued)

Jurisdiction	Persons* Offences	Property** Offences	Other*** Offences	Total
Whitehorse	379 353	2157 2009	811 738	3347 3100
Division Total	677 664	3083 2943	1579 1401	5339 5008

* Person Offences Include: Homicide, sex offences, assaults, robbery and all attempted offences.

** Property Offences Include: Breaking and Entering, theft of motor vehicles, thefts, possession of stolen property, frauds, and all attempted offences.

*** Other Offences Include: Morals, offensive weapons, arson, bail violations and breach of probation, disturbing the peace, escape custody, indecent acts, kidnapping, extortion, obstruct public - peace officer, trespass, wilful damage (including mischief), passport offences and other Criminal Code offences except traffic offences.

TERRITORIAL POLICING (continued)

Federal Law Offences
(Actual offences - maintained by Calendar Year)

Note: Comparative Statistics 1982 / 1981

Jurisdiction	Drug Offences	Federal Act* Offences	Other** Federal Offences	Total
Beaver Creek	130/40	16/48	1/2	147/90
Carcross	9/3	27/2	0/1	36/6
Carmacks	0/2	2/2	2/0	4/4
Dawson City	16/17	87/9	10/8	113/34
Faro	6/9	2/1	1/1	9/11
Haines Junction	23/11	17/15	1/2	41/28
Mayo	4/2	5/1	0/5	9/8
Old Crow	0/0	22/3	5/0	27/3
Ross River	0/2	0/0	2/0	2/2
Teslin	3/3	27/15	8/4	38/22
Watson Lake	21/29	36/34	9/10	66/73

TERRITORIAL POLICING (continued)

Jurisdiction	Drug Offences	Federal Act* Offences	Other** Federal Offences	Total
Whitehorse	154 41	29 10	37 21	220 72
Division Total	366 159	270 140	76 54	712 353

* Federal Act Offences Include: Customs Act, Excise Act, Bankruptcy Act, Canada Shipping Act, Immigration Act, Juvenile Delinquents Act, Excise Tax Act, Export/Import Permits Act, National Energy Board Act and Petroleum Administration Act Offences.

** Other Federal Offences Include: Aeronautics Act, Bank Act, Canada Electronics Act, Citizenship Act, Criminal Records Act, Explosives Act, Family Allowances Act, Game Export Act, Income Tax Act, National Housing Act, National Parole Act, U.I.C. Act, Radio Act and other Federal Act offences.

TERRITORIAL POLICING (continued)

Territorial Act Offences (Excluding traffic)
(Actual offences - maintained by Calendar Year)

Note: Comparative Statistics 1982 / 1981

Jurisdiction	Liquor* Act Offences	Wildlife Act Offences	Other Territorial Act Offences	Total
Beaver Creek	0 / 1	2 / 3	2	4 / 4
Carcross	15 / 21	1 / 10	14	30 / 31
Carmacks	62 / 70	0 / 7	21	83 / 77
Dawson City	89 / 114	2 / 20	32	123 / 134
Faro	15 / 15	3 / 1	3	21 / 16
Haines Junction	7 / 14	0 / 3	7	14 / 17
Mayo	24 / 63	1 / 5	3	28 / 68
Old Crow	21 / 31	1 / 13	5	27 / 44
Ross River	199 / 237	1 / 6	1	201 / 243
Teslin	101 / 135	8 / 25	19	128 / 160
Watson Lake	746 / 774	7 / 49	47	800 / 823

TERRITORIAL POLICING (continued)

Jurisdiction	Liquor* Act Offences	Wildlife Act Offences	Other Territorial Act Offences	Total
Whitehorse	2091 1825	6	29 21	2126 1846
Division Total	3370 3300	32	183 163	3585 3463

* Liquor Act Offences Include: all unlawful possession, consumption, conduct and sale offences, and offences of public drunkeness.

TERRITORIAL POLICING (continued)

Traffic Enforcement

(Actual offences - maintained by Calendar Year)

Note: Comparative Statistics 1982 / 1981

Jurisdiction	Criminal Code Traffic			Territorial Traffic
	Impaired Driving*	Other Offences	Total	Total
Beaver Creek	7 / 5	1 / 0	8 / 5	25 / 11
Carcross	5 / 10	0 / 1	5 / 11	28 / 30
Carmacks	14 / 10	5 / 3	19 / 13	20 / 33
Dawson City	11 / 25	4 / 2	15 / 27	58 / 47
Faro	2 / 22	1 / 1	3 / 23	69 / 95
Haines Junction	9 / 7	0 / 2	9 / 9	37 / 32
Mayo	9 / 21	0 / 2	9 / 23	18 / 18
Old Crow	4 / 10	3 / 1	7 / 11	5 / 0
Ross River	20 / 20	0 / 0	20 / 20	3 / 3
Teslin	16 / 9	4 / 3	20 / 12	42 / 14
Watson Lake	49 / 73	5 / 2	54 / 75	156 / 233

TERRITORIAL POLICING (continued)

Jurisdiction	Criminal Code Traffic			Territorial Traffic
	Impaired Driving*	Other Offences	Total	Total
Whitehorse	417 326	15 18	432 344	3442 2326
Division Total	563 538	38 35	601 573	3903 2842

* Impaired Driving Offences Include:

Drive while impaired (Sec.234 C.C.), Refuse Breath Test (Sec. 235 C.C.), Refuse Roadside testing (Sec. 234.1 C.C.) and Driving with more than 80 mgs. of alcohol in blood (Section 236 C.C.).

COURT SYSTEMS

Supreme Court

Judge: Mr. Justice Harry C.B. Maddison

There is in the Yukon Territory a superior court of civil and criminal jurisdiction known as the Supreme Court of the Yukon Territory. It consists of the Court of Appeal and the Supreme Court.

The Court of Appeal consists of Mr. Justice Harry C.B. Maddison, Mr. Justice Calvin F. Tallis, Yellowknife, N.W.T., and all Judges of the British Columbia Court of Appeal. It sits in the Yukon Territory once a year, usually during the month of June. Its decisions may, upon leave, be appealed only to the Supreme Court of Canada.

The Supreme Court consists of Mr. Justice Harry C.B. Maddison, Deputy Judge Mr. Justice Calvin F. Tallis, Yellowknife, N.W.T., and Mr. Justice Roger Kerans, Calgary, Alberta, and also, six judges from British Columbia and five judges from Alberta as Deputy Judges. The Supreme Court is the superior court of record for the Yukon Territory.

Caseload Statistics:

Civil: During the fiscal year 1982-83, a total of 827 civil and criminal actions were commenced in the Supreme Court. This is an increase of 122 actions over the 1981/82 year. Of these actions, 16 civil trials were heard.

There were 7 civil appeals filed and 3 heard by the Court of Appeal. This indicates an increase of 4 appeals filed and a decrease of 1 appeal heard.

COURT SYSTEMS (continued)

Criminal: There were 7 criminal trials heard, a decrease of 8 over the past year.

There were 11 appeals filed in the Court of Appeal, and 2 were heard, 5 were abandoned.

There were 25 summary conviction appeals filed. Of these 4 were abandoned and 11 appeals were heard. This is a decrease of 6 appeals filed and a decrease of 1 appeal heard, compared with last year's figures.

Probate: In 1982-83, 22 applications for probate, or for letters of administration were filed. This is an increase of 2 over the last year.

Divorce: A total of 106 petitions for divorce were filed this fiscal year. This is a decrease of 48 compared to last year.

Supreme Court Trial Division	1981-82	1982-83	Increase (Decrease)	Percent Change
Civil actions commenced	705	778	73	+ 10.4
Civil trials heard	7	16	9	+ 128.6
Criminal actions commenced	40	49	9	+ 22.5
Criminal trials heard	15	7	(8)	- 53.3

Supreme Court Appellate Div.	1981-82	1982-83	Increase (Decrease)	Percent Change
Civil appeals filed	3	7	4	+ 133.3
Civil appeals heard	4	3	(1)	- 25.0
Criminal appeals filed	39	36	(3)	- 7.7
Criminal appeals heard	20	13	(7)	- 35.0

COURT SYSTEMS (continued)

Territorial Court

The Territorial Court consists of two judges with one appointed as Chief Judge. In addition 49 Justices of the Peace are appointed, 21 of whom are designated as JP II and sit in Whitehorse and the communities on a regular basis.

The position of second Judge was vacant for all of 1981/82 making it necessary to appoint Deputy Judges for the entire year. The appointment of the second Judge was effective April 1, 1983 and decreased the need for Deputy Judge time to the annual average of 30 days.

As in past years, communities outside of Whitehorse are served by local Justices of the Peace and by Judges of the Territorial Court on an "as required" basis. There were no changes in court room facilities, there being two court rooms in Whitehorse, a court room in Territorial Government Building in Watson Lake, a court room/city council chambers in the Y.T.G. building in Dawson. Court in other communities is usually held in community halls or other suitable facilities which are rented.

The steering committee set up by the Department in 1980 to provide input to Lyall Hunt's study of the Justice System in Yukon continues to be active and is liaising with Statistics Canada to set up a system of data collection which will be consistent as to information, time frame and comparable throughout Canada.

The nine day fortnight imposed as a restraint measure in August, 1982 could be only partially implemented in Territorial Court as trials were scheduled several months in advance. Every effort was made, however, to have clerical support staff adhere to the restraint measure when operational requirements allowed.

No major changes in the facilities or staff of the Territorial Court occurred during 1981-82.

SUPREME COURT (continued)

Statistics 1982/83

Adult Charges	7936
Juvenile Charges	278
Wardship Cases	32
Maintenance Cases	59
Civil Cases	11
Small Debt Claims	827
Other Charges	23
	9166

Judge's Hearings (Whitehorse)	5,467
Judge's Hearings (Circuit)	988
Justice of the Peace Hearings (Whitehorse)	2,513
	8,968

Sheriff's Office

The Sheriff's function is to enforce the civil aspect of law throughout the Yukon Territory, maintain order in the courts as required, summon jury panels and service civil documents. The Sheriff, who is also the Chief Territorial Firearms Officer, must liaise with Federal agencies under the Gun Control legislation.

Statistics for the Sheriff's Office for the year in review are:

Firearms and Ammunition Business Permits issued	32
Searches	121
Writs of Seizure and Sale	252
Service of Writs, Summons, Divorce Petitions, Garnishments and Injunctions	650
Service of small debts claims and show cause	680
Bailiff Services:	
Repossessions under chattel mortgages and conditional sales contracts	50
Seizure on behalf of cities and L.I.D.'s	24
	1,809

LEGAL AID

The Legal Aid Committee of the Yukon Territory arranges to provide legal services to people who are financially unable to obtain such services for themselves. All serious criminal charges and certain civil matters are covered by the Plan. Persons granted assistance are asked to contribute to the cost of retaining counsel if they have resources to do so. All clients are represented by practicing members of the Yukon Bar.

Assistance was provided for 578 Criminal charges and 168 civil matters. Expenditures for the year totalled $562,500 exclusive of administration costs of $34,400. Average cost was $754 per charge as compared with $628 in 1981/82. It should be noted that in many instances several charges under the criminal code can be levied against one applicant.

ADMINISTRATIVE SERVICES

The Administrative Branch provides a centralized service to the entire Department. The staff of this section ensures proper receipt and expenditure of funds and provides daily assistance to all Branch Managers in all facets of the budgeting/control process.

A financial review of fiscal year 1982-83 follows:

I EXPENDITURES

Branch	Approved Main Estimates	Actual Expenditures
Legal Services	$ 526,600	$ 650,553
Court Systems	1,050,800	1,095,165
Legal Aid	400,200	573,059
R.C.M.P. Agreement	4,300,000	4,695,290
Compensation for Victims of Crime	2,100	29,457
Yukon Courtworkers Program	100,000	100,000
Administration	353,100	358,402
Native Special Constable Program	133,000	195,182
Corrections	2,421,700	2,583,453
	$ 9,287,500	$ 10,280,561

II REVENUE & RECOVERIES

Recoveries	1982-83
National Parole Service	$ --
Rehabilitation Centre Meals	--
Canadian Penitentiary Service (Transfer of Prisoners Agreement)	15,659.00
Canadian Immigration Service	--
Recovery of Inmate Room & Board	729.00
Laundry Services	--
Third Party Recoveries	1,379.00
Legal Aid Recoveries	229,380.00
Courtworker Program	49,982.00
Compensation for Victims of Crime	20,936.00
Public Administration fees	8,803.00
Transcript fees	9,917.00
Gun Control	45,942.00
TOTAL RECOVERIES	$ 175,221.64

ADMINISTRATIVE SERVICES (continued)

Revenue

Operating Revenue:			
Supreme Court Filing Fees	$ 25,330.50		
Territorial Court Filing Fees	330.00		
Small Debt Court Filing Fees	4,420.00		
Court Costs	3,115.00		
Justice of the Peace Fees	3,134.50	$ 33,195.50	
Fines Collected under the Ordinances:			
Motor Vehicles	$ 141,159.00		
Liquor	9,382.00		
Game	17,650.00		
Labour Standards	148.00		
Other	2,755.00	171,094.00	$ 204,289.50
Gun Control:			
Firearms Certificates	$ 7,822.00		
Firearms Business Permits	1,892.00	9,714.00	9,714.00
Expenditure Recoveries:			
Sheriff's Fees	$ 10,298.74	10,298.74	10,298.74
Accounts Payable:			
Fines Collected - Receiver General:			
Criminal Code	$ 162,552.66		
Narcotic Control Act	8,985.00		
Food and Drug Act	175.00		
Income Tax Act	400.00		
Police Costs	52.50		
National Parks Act	2,200.00		
Unemployment Insurance Act	1,100.00		
Immigration Act	1,400.00		
Fisheries Act	65.00		
Aeronautics Act	250.00	177,180.16	
Fines - Municipal By-Laws:			
Fines	8,922.91		
Costs	716.00	9,638.91	186,819.07
			$ 411,121.31

ADMINISTRATIVE SERVICES (continued)

Capital Expenditure

Source of Expenditure:	Funds Expended
Courts Miscellaneous Equipment	$ 5,006
Corrections Miscellaneous Equipment	29,802
Corrections Centre Renovations	250,946
TOTAL CAPITAL EXPENDITURES	$ 285,754

Personnel Management

The Administrative Services of the Courts and Administrative Branch is also involved in personnel management for the whole Department. Total staff complement for this Department is 108 Man Years.

A breakdown of staff complement for the Department is:

	Managerial	Clerical Support	Program & Treatment	Corrections Officers	Other	Total
Legal Services	2.0	11.0				13.0
Court Services*	5.0	16.0				21.0
Legal Aid		1.0				1.0
Administration	2.0	6.0				8.0
Non-Institutional	1.0	2.5	8.0			11.5
Institutional	4.0	2.0	5.5	35.0	7.0	53.5

* Does not include the use of fifty (50) lay Justices of the Peace who are utilized throughout the Yukon and are empowered to hear summary convictions.

NON-INSTITUTIONAL SERVICES

Probation in Yukon has been regarded as one of the most innovative and resourceful jurisdictions within Canada. The Community Service Order Program and the Impaired Drivers Program all have contributed to an enriching and successful probation service.

Within the 1982-83 fiscal year, the service delivery mechanism was severely reduced by a total government spending freeze dictated by economic conditions. The consequence of this action resulted in cutbacks in probation officers' travel, the elimination of staff training, and vacancies of a number of staff positions. The impact experienced by Probation Services was devastating as all aspects of the probation function were weakened by the financial restraint. Supervision of rural clients and liaison with community members who assist in the supervision of the community service order were negligible. In conclusion, probation over the year was highlighted by a weakened relationship with rural communities and clients.

The Fine Option Program continues to be reviewed for possible re-introduction as a sentencing alternative. At this time, the Community Service Order Program will attempt to address issues associated with the utilization of the Fine Option Program as an alternative to incarceration. The Impaired Drivers Program was transferred to Alcohol and Drug Services who, in cooperation with the Motor Vehicle Branch, will be developing a comprehensive Driving Without Impairment Program for the court placement of clients.

Community Corrections personnel were actively involved in two major research projects during the fiscal year. The first was a survey of "Services to Victims of Crime in Yukon" by Audrey McLaughlin, and the second was "Case Management Task Force Steering Committee" by Bradley Consultants. The former report addressed the concerns and perceptions

NON-INSTITUTIONAL SERVICES (continued)

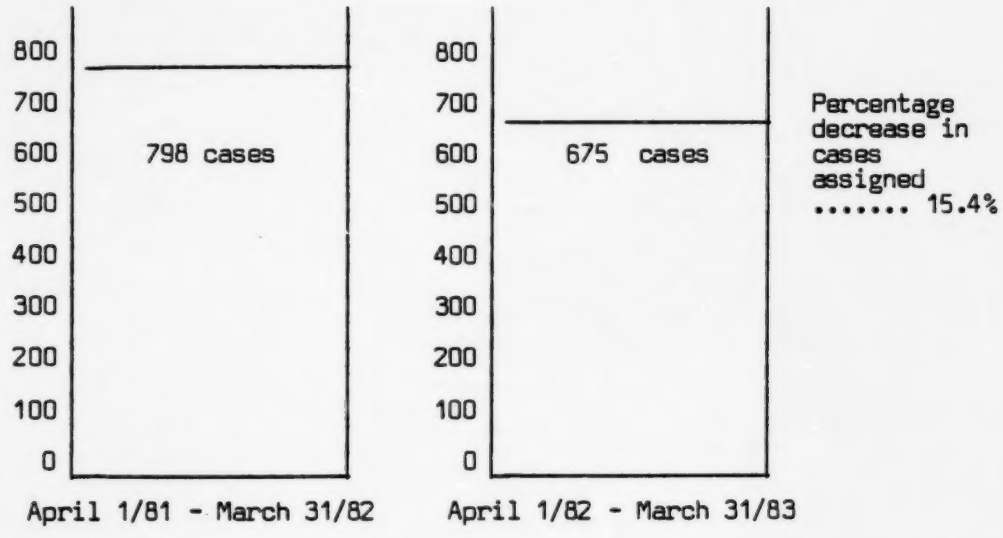
of victims of crime while the latter examined the improvement of administration within the criminal court system.

Over the year, the aggregate number of persons under probation supervision declined. Probation orders received from the courts have decreased by 15.4% from 798 to 675. Court orders also dropped from the previous year, down 22% to 288 reports. The reduction of requests from the court appears to be directly related to the inability of Probation to provide services to communities outside of Whitehorse.

Probation and Community Corrections, although weakened by the restraint program, will continue to support the principle that the offender is best dealt with in the community whenever possible. The future direction of the Probation Branch will be to encourage community programming and to introduce service and programs that accommodate the needs of both the community and the offender.

New Adult Probation Cases

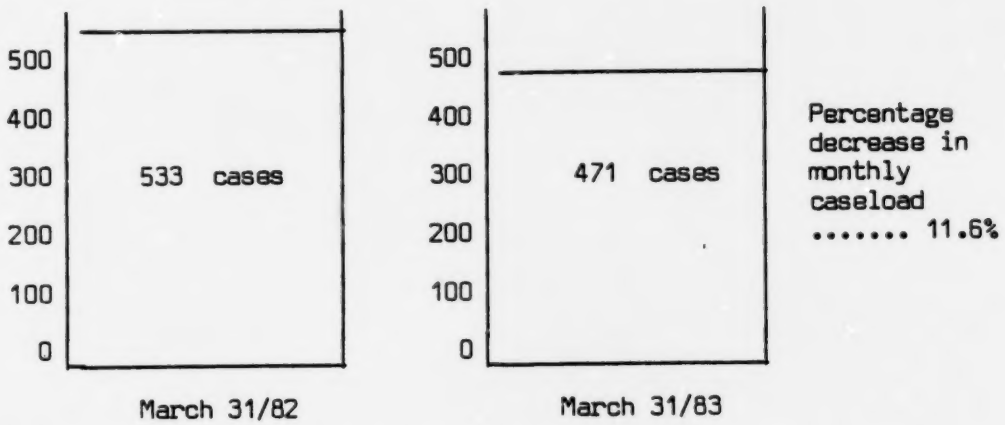
Total New Cases April 1, 1982 - March 31, 1983	675
Total New Cases April 1, 1981 - March 31, 1982	798
Decrease in cases assigned by Court	123



NON-INSTITUTIONAL SERVICES (continued)

Adult Probation Caseload

Cases under supervision March 31, 1983	471
Cases under supervision March 31, 1982	533
Total decrease in cases under supervision	62



BREAKDOWN OF CASES

March 31, 1983

CASE TYPE	MALE	FEMALE	TOTAL
"A" Probation (Reporting)	250	46	296
"B" Probation (Non-Reporting)	123	22	145
Others	24	6	30
TOTAL CASELOAD	397	74	471

NON-INSTITUTIONAL SERVICES (continued)

Breakdown of New Cases:

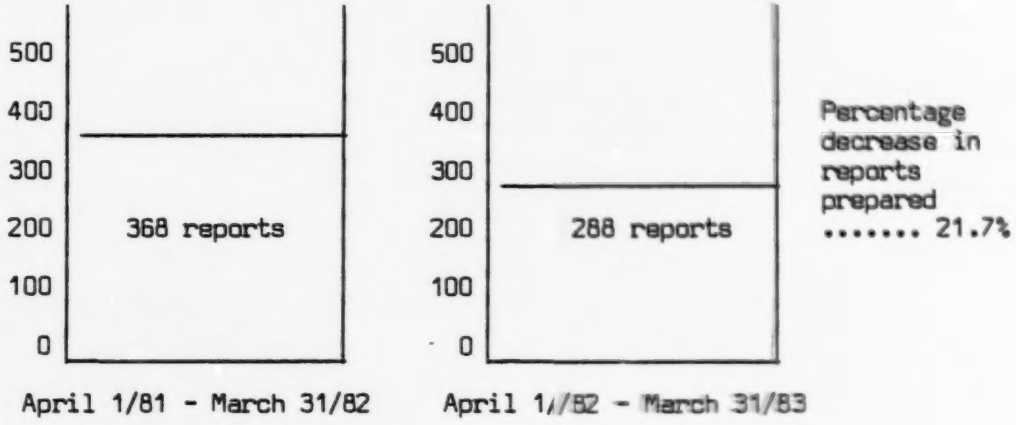
CULTURAL BACKGROUND	NUMBER	PERCENT
Native	276	40.9
White	391	57.9
Other	0	0
Not Known	8	1.2
TOTAL	675	100.0

AGE GROUPINGS	NUMBER	PERCENT
16	33	4.9
17	31	4.6
18	45	6.7
19	41	6.1
20	38	5.6
21 - 25	92	13.6
26 - 30	58	8.6
31 - 40	62	9.2
41 - 50	28	4.1
51 +	25	3.7
Not Known	222	32.9
TOTAL	675	100.0

NON-INSTITUTIONAL SERVICES (continued)

REPORTS

Pre-Sentence Reports April 1, 1982 - March 31, 1983	108
Pre-Sentence Reports April 1, 1981 - March 31, 1982	145
Court Reports April 1, 1982 - March 31, 1983	180
Court Reports April 1, 1981 - March 31, 1982	223
Total Reports April 1, 1982 - March 31, 1983	288
Total Reports April 1, 1981 - March 31, 1982	368
Total Decrease	80



BREAKDOWN OF REPORTS

TYPE	NUMBER	PERCENT
Pre-Sentence Report - Supreme Court	3	1.0
Pre-Sentence Report - Territorial Court	94	32.6
Pre-Sentence Report - Justice of the Peace Court	11	3.8
Breach Reports	76	26.4
Conduct and Means to Pay Reports	78	27.1
Other Assessment Reports	26	9.0
TOTAL	288	100.0

INSTITUTIONAL SERVICES

Overview

Internal renovations at the Whitehorse Correctional Centre were completed during the year 1982/83. Additionally, capital winter works funding was secured to construct a mobile work camp by a local Whitehorse trailer construction company. The trailers planned will house minimum secure prisoners and permit us to engage in community work projects in rural communities. Approval has also been given to relocate a surplus stores building to the grounds of W.C.C. to be renovated as a core building to which the mobile trailers will be attached during winter months. The "Annex" on completion will have the capacity to accommodate twenty prisoners and thus raise the rated capacity to 88. It is anticipated that the Annex will be operational in the 1983/84 reporting year.

Electronic data Statistical reporting programs were developed during the period which will enable the Branch to produce reports, on request, in the 1983/84 reporting year. The Branch continues to participate in the national statistical standardization project under the leadership of the Canadian Centre for Justice Statistics (Statistics Canada).

The year 1982/83 has been a year of consolidation and fine tuning of policy initiatives taken in the previous year and has proven to be both challenging and rewarding. We are progressing well towards our goal of providing an integrated treatment delivery program towards the needs of the individual prisoner, and towards this end, the Annex concept will further support our program.

INSTITUTIONAL SERVICES (continued)

Security Section - 1982/83

The Maximum security area received several major changes that dramatically improved the living conditions for all prisoners held in this area.

A bright paint job and a new flourescent lighting system had a profound effect upon living conditions in the area.

With the construction of an unbreakable plexiglass partition, the recreation/activity area for Maximum security prisoners was more than doubled. This additional space is being used as a dining, reading and common room.

Additionally, new Maximum area policy was initiated to (i) permit inmates to eat all their meals in the new activity area (previously all inmates sat on their beds and ate their meals off a tray); and (ii) permit inmates out of their cells each day for socialization. Access to the phone was greatly increased by modification to the phone system which allows inmates to make calls from within their cell area. Visiting hours were changed from evenings to afternoons, which now permits uninterrupted programming every evening.

On April 22, 1982, two Medium security prisoners escaped but were apprehended by the R.C.M.P. within the hour. On August 27, 1982, a Minimum security prisoner walked away from a work crew at 1300 hours. He was at large for ten hours when the R.C.M.P. apprehended him.

An outside visiting program was successfully initiated in April, 1983, for both Minimum and Medium security prisoners (weather permitting).

INSTITUTIONAL SERVICES (continued)

Program Development

Education

Two instructors were hired by the Yukon College to work full time at the Whitehorse Correctional Centre. One instructor is responsible for providing inmates with academic upgrading while the other has responsibility for a variety of arts and crafts activities. Integration of these two programs into a full time school program is planned for later in 1983 with new courses to be added, e.g. social studies, drafting, music and woodwork.

Mental Health

The Health Care Services program at W.C.C. was strengthened in 1982 with the addition of a part time registered psychiatric nurse. The psychiatric nurse will focus on individuals suffering from emotional problems and those unable to effectively cope with their daily lives. The nurse will be working closely with other correctional staff and community health service officials in the treatment of inmate patients. During this inaugural year, approximately one quarter of the W.C.C. daily inmate population was on the caseload of the psychiatric nurse. Future plans include the implementation of a daily living program for inmates.

Temporary Absence Program

The T.A.P. proved to be successful once again with 95% of all inmates completing their authorized absences successfully. The primary reason for temporary absence revocations was the unauthorized use of alcohol. Once again, however, there was no criminal involvements by inmates while absent in the community. The following is a breakdown of the Temporary Absence Program activities for the year:

INSTITUTIONAL SERVICES (continued)

Applications	167
Granted	122
Type:	
Education	2
Employment	18
Humanitarian	3
Medical	4
Other (Transportation, Alcohol treatment, socialization)	95
	122
Successfully completed	116

Staff Training and Development

Staff training continues to be a highly visible program. 3400 hours of training were conducted during the year. The major thrust of the program continues to be the Mount Royal College Certificate course. Six staff completed the required number of credits and have been awarded their certificate in Corrections. This certificate is equivalent to two semesters or one year at College.

Training events have included First Aid, Fire Safety, On-Job Training, Self Defence, Orientation to new staff, Corrections Officer course, Supervision and Human Relations.

The major achievement of the year was the inclusion of a two-step pay plan, based on completion of post secondary education.

Total man hours of training for Whitehorse Correctional Centre is 20,368. This covers the period 1979 to 1983, inclusive.

INSTITUTIONAL SERVICES (continued)

Community Work Projects

This program has been well accepted in the community. Fifty various projects have been undertaken to the amount of 18,500 man hours being expended.

Major projects undertaken were:

1. Right-of-way clearing Annie Lake Road. Wood recovered for donation to community service organizations.

2. City of Whitehorse trail development around Riverdale and clearing deadfall for fire protection along escarpment.

Institutional Work Program

Major renovation took place in the Centre which exhausted 18,000 man hours. This entailed repainting, new gym, resource centre, additional bed space.

A twenty by eighty foot building was moved from the Marwell area to the Centre by staff and inmates and renovated for a carpenter shop.

The old green house has been remodelled for heated storage and is now the Central Stores building. This was accomplished by utilizing maintenance staff and inmate work crews.

Arts & Crafts Program

A full time teacher, through Yukon College is now on staff at the Centre. This is part of an integrated educational program, along with academic courses. Evening classes are held twice weekly for those inmates employed in day jobs.

INMATE DATA

AVERAGE DAILY COUNT (MALE SENTENCED)

	1980	1981	1982	Average	1983
January	35.2	54.3	60.1	49.9	50.9
February	35.0	57.9	55.2	37.8	56.8
March	44.4	60.4	60.4	55.0	52.8
April	53.6	56.8	58.4	56.2	60.4
May	57.5	53.9	50.0	53.8	
June	60.3	49.7	51.5	53.8	
July	56.9	42.3	50.0	49.7	
August	57.5	39.7	42.8	46.6	
September	58.5	42.6	46.5	49.2	
October	50.8	60.5	53.8	55.0	
November	53.9	65.8	56.8	58.8	
December	55.0	65.0	57.5	59.1	
Average	51.7	54.2	53.6	53.0	

AVERAGE DAILY COUNT (MALE REMAND)

	1980	1981	1982	Average	1983
January	7.1	3.7	4.9	5.2	1.9
February	4.2	8.3	6.7	6.4	2.3
March	5.3	5.8	6.7	5.9	1.6
April	6.0	8.8	8.4	7.7	2.3
May	4.4	4.5	8.3	5.7	
June	4.9	4.3	8.5	5.9	
July	7.6	6.3	9.9	7.9	
August	4.2	8.7	8.0	6.9	
September	3.9	8.1	8.8	6.9	
October	4.8	8.4	7.7	6.9	
November	4.0	10.9	2.3	5.7	
December	5.4	11.0	2.7	6.3	
Average	5.2	7.4	7.0	6.5	

INMATE DATA

AVERAGE DAILY COUNT (FEMALE SENTENCED)

	1980	1981	1982	Average	1983
January	1.6	0.5	2.6	1.5	1.9
February	3.1	0.8	2.5	2.1	2.4
March	2.4	1.3	3.7	2.4	2.4
April	0.5	1.5	3.2	1.7	4.9
May	1.6	2.0	2.0	1.8	
June	2.6	2.3	1.9	2.2	
July	1.4	2.5	1.1	1.6	
August	2.3	3.1	0.2	1.8	
September	2.1	2.5	0.0	1.5	
October	2.4	2.8	1.7	2.3	
November	3.0	3.5	2.6	3.0	
December	1.5	3.0	2.4	2.3	
Average	2.1	2.2	2.0	2.1	

AVERAGE DAILY COUNT (FEMALE REMAND)

	1980	1981	1982	Average	1983
January	0.0	1.5	1.5	1.0	Ø
February	0.0	0.8	0.8	0.5	Ø
March	0.0	0.4	0.4	0.3	Ø
April	0.4	0.0	0.0	0.1	Ø
May	0.1	0.0	0.0	0.0	
June	0.0	0.2	0.2	0.1	
July	0.0	0.3	0.3	0.2	
August	0.0	0.3	0.3	0.2	
September	0.0	0.0	0.0	0.0	
October	0.0	0.0	0.0	0.0	
November	0.0	0.0	0.0	0.3	
December	0.6	0.1	0.1	0.3	
Average	0.2	0.7	0.3	0.4	

INMATE DATA

AVERAGE DAILY COUNT (TOTAL)

	1980	1981	1982	Average	1983
January	44.03	59.65	69.29	57.65	54.9
February	41.03	67.75	65.18	57.98	61.5
March	52.23	67.58	71.35	63.72	56.8
April	60.60	67.27	70.00	65.95	67.5
May	63.74	61.16	60.35	61.75	
June	65.71	56.40	62.16	61.42	
July	66.06	51.25	61.61	59.64	
August	64.16	51.61	51.29	55.68	
September	64.50	53.40	55.40	57.76	
October	58.13	73.90	63.25	65.09	
November	62.00	84.43	61.76	69.39	
December	62.71	81.06	62.74	68.83	
Average	59.13	64.59	62.85	62.19	

INMATE ADMISSIONS

	1980	1981	1982	1983 (3 months)
Male Sentenced	407	421	393	108
Male Remand	71	120	119	10
Female Sentenced	39	32	31	9
Female Remand	8	15	14	Ø
Total	525	588	557	

AVERAGE AGE

	1980	1981	1982	1983 (3 months)
Male	26.8	27.3	27.4	30.3
Female	23.8	20.9	30.1	25.6

INMATE DATA

AGE GROUPING - SENTENCED INMATES

	1980	%	1981	%	1982	%	1983	%
16	18	4.04	9	1.99	7	1.7	1	0.9
17	31	6.95	33	7.28	21	4.9	6	5.1
18	31	6.95	33	7.28	16	3.7	4	3.4
19	34	7.62	39	8.61	36	8.5	4	3.4
20	27	6.05	29	6.40	26	6.1	2	1.7
21 - 25	111	24.89	117	25.82	118	27.8	35	29.9
26 - 30	75	16.82	72	15.89	72	17.0	20	17.2
31 - 40	75	16.82	69	15.23	79	18.6	24	20.6
41 - 50	27	6.05	35	7.73	33	7.8	16	13.8
51 & Over	17	3.81	17	3.75	16	3.8	5	4.4

RACIAL BREAKDOWN - SENTENCED INMATES

	1980	%	1981	%	1982	%	(3 months) 1983	%
Caucasian	197	44.17	211	46.58	184	43.39	54	46.2
Indian	182	40.81	178	39.29	153	36.08	46	39.3
Non Status	65	14.57	63	13.91	84	19.81	17	14.5
Other	2	0.45	1	0.22	3	0.70	Ø	

MARITAL STATUS - SENTENCED INMATES

	1980	%	1981	%	1982	%	(3 months) 1983	%
Married	41	9.19	44	9.71	34	8.01	12	10.3
Single	325	72.87	310	68.43	283	66.74	69	59.0
Separated	12	2.69	17	3.75	18	4.24	5	4.3
Divorced	11	2.47	10	2.21	19	4.48	6	5.1
CLW	52	11.66	69	15.23	69	16.27	23	19.7
Widowed	5	1.12	3	0.66	1	0.23	2	1.7

INMATE DATA

EDUCATIONAL LEVEL OF INMATES ADMITTED

	1980	%	1981	%	1982	%	1983	%
None	3	0.67	5	1.10	3	0.70	0	0.0
1	0	0.00	0	0.00	0	0.00	0	0.0
2	0	0.00	0	0.00	0	0.00	0	0.0
3	1	0.22	0	0.00	0	0.00	2	1.7
4	1	0.22	5	1.10	7	1.65	1	0.9
5	5	1.12	2	0.44	4	0.94	1	0.9
6	5	1.12	12	2.65	7	1.65	0	0.0
7	32	7.17	30	6.62	17	4.00	6	5.1
8	78	17.49	108	23.84	82	19.33	30	25.6
9	87	19.51	84	18.54	81	19.10	17	14.5
10	112	25.11	94	20.75	95	22.40	27	23.1
11	40	8.97	50	11.04	55	12.97	12	10.3
12	67	15.02	52	11.48	61	14.38	18	15.4
University	15	3.36	11	2.43	12	2.83	3	2.6
Average	10		9		9			

LENGTH OF SENTENCE

	1980	%	1981	%	1982	%	(3 months) 1983	%
0-31 days	263	58.97	246	54.31	213	50.23	72	61.8
1- 3 mos.	78	17.49	81	17.88	107	25.23	24	20.8
3- 6 mos.	44	9.87	51	11.26	55	12.97	11	8.8
6-12 mos.	34	7.62	44	9.71	21	4.95	4	4.5
12-18 mos.	11	2.47	17	3.75	10	2.35	1	0.9
18- 2 yrs.-1 day	6	1.35	5	1.10	5	1.17	1	0.9
2 yrs. & over	10	2.24	9	1.99	13	3.06	4	3.4

AVERAGE SENTENCE (2 Years & Over Omitted)

	1980	1981	1982	1983
Male	72.31 days	81.62 days	81.33 days	58.1 days
Female	30.87 days	57.38 days	34.84 days	25.7 days

INMATE DATA

INMATE ADMISSIONS - INTERMITTENT SENTENCE

	1981	1982	1983 (3 months)
Male	39	50	11
Female	3	6	1

INMATES ADMITTED IN DEFAULT OF FINE

1980	%	1981	%	1982	%	(3 months) 1983	%
130	29.15	105	23.18	122	28.77	53	45.3

LIQUOR RELATED OFFENCES

	1980	%	1981	%	1982	%	(3 months) 1983	%
Criminal Code	149	33.40	145	32.01	146	34.43	67	52.1
Acts	36	8.07	29	6.40	17	4.00	6	5.1
Total		41.47		38.41		38.43		57.2

INMATE DATA

CLASSIFICATION OF OFFENCES

	1980	1981	1982	(3 months) 1983
Offensive Weapons	6	7	13	5
Dangerous Use of Firearms	6	6	6	1
Obstruction (Assault P.O.)	8	5	9	1
Escape (U.A.L.)	4	3	5	3
Skip Bail (Fail to Appear)	52	70	51	9
Rape & Attempt Rape	1	3	3	1
Disorderly Conduct	4	2	6	3
Driving Offence (liquor relate)	173	165	164	61
Driving Offence (disqualified)	39	7	6	0
Assaults	26	27	30	4
Criminal Negligence	9	7	3	1
Manslaughter	1	3	1	0
Attempted Murder	1	0	0	0
Indecent Assault (Female)	5	3	2	1
Theft over 200	54	27	36	7
Theft under 200	18	55	64	24
Auto Theft	64	27	25	2
B & E	6	97	59	19
Robbery	15	4	7	2
Unlawful Possession	21	27	32	3
False Pretense	3	42	11	0
Forgery & Uttering	1	15	33	0
Unlawfully in Dwelling House	0	1	0	0
Fraud	3	7	13	1
Mischief	15	26	23	2
Wilful Damage	5	3	2	3
Accessories	1	0	0	0
Conspiracies	4	1	0	0
Breach Probation	48	87	101	25
Liquor Ordinance	42	50	37	6
Municipal Bylaw	36	10	19	7
N.C.A.	13	19	17	4
M.V.O.	54	56	64	27
Immigration Act	2	2	0	0
Juvenile Delinquent Act	2	0	0	0
Parole Act	1	0	0	0
Health Care Insurance Act	1	0	0	0
Food & Drug Act	1	0	2	0
Unemployment Insurance Act	32	0	0	5
Game Ordinance	0	3	6	1
Murder	0	0	3	0
Arson	0	0	1	0

COST SHARED AGREEMENTS

Programs that are administered by this Department and cost shared are:

1. Gun Control Program
2. Legal Aid Program
3. Yukon Courtworker Program
4. Compensation for Victims of Crime Agreement